

## DECLARATION


As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.


We believe we are the original, first and joint inventors of the subject matter claimed and for which a patent is sought on the invention entitled "SUPPLYING NOTIFICATIONS RELATED TO SUPPLY AND CONSUMPTION OF USER CONTEXT DATA," the specification of which was filed in the U.S. Patent and Trademark Office on November 28, 2000 and assigned Application No. 09/724,949; and that this application in part discloses and claims subject matter disclosed in our earlier-filed Application No. 09/216,193, entitled "METHOD AND SYSTEM FOR CONTROLLING PRESENTATION OF INFORMATION TO A USER BASED ON THE USER'S CONDITION," which was filed in the United States Patent and Trademark Office on December 18, 1998, and Application No. 09/464,659 entitled "STORING AND RECALLING INFORMATION TO AUGMENT HUMAN MEMORIES," filed on December 15, 1999. This application also claims the benefit of Provisional Application No. 60/194,222 filed April 2, 2000 and Provisional Application No. 60/193,999 filed April 2, 2000.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge our duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56(a), including material information which became available between the filing date of the prior application and the filing date of this application.

  
Kenneth H. Abbott

Date 5-11-2001

  
Joshua M. Freedman

Date May 10/2001

C:\Program Files\Microsoft Visual Studio\VSS\win32\Declaration5.doc

Date \_\_\_\_\_

**Residence** : **City of Medina**  
**State of Washington**

**Citizenship** : **United States of America**

**P.O. Address** : **2623 Evergreen Point Road**  
**Medina, Washington 98039**

James O. Roberts

Date \_\_\_\_\_

Residence : City of Redmond  
State of Washington

Citizenship : United States of America

P.O. Address : 17610 NE 31<sup>st</sup> Place  
Redmond, Washington 98052

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kenneth H. Abbott et al.  
Application No. : 09/724,949  
Filed : November 28, 2000  
For : SUPPLYING NOTIFICATIONS RELATED TO SUPPLY  
AND CONSUMPTION OF USER CONTEXT DATA

Docket No. : 294438022US1

Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, a copy of which is enclosed, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; JOHN C. STEWART, Registration No. 40,188; MICHAEL D. BROADDUS, Registration No. 41,637; BRIAN P. MCQUILLEN, Registration No. 41,989; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; JAMES A.D. WHITE, Registration No. 43,985; EDWARD S. HOTCHKISS, Registration No. 33,904; and JAMES NICKELSON,

Registration No. 46,140, of Perkins Coie LLP, as the principal attorneys with full power of substitution, association, and revocation to prosecute said application, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor. Please direct all correspondence to Customer Number 25096.

Bar Code:

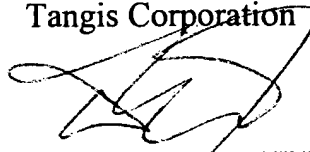
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PATENT TRADEMARK OFFICE

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Tangis Corporation filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Tangis Corporation



Date

5/18/01

Dan Newell  
CEO

JDW:jc

Enclosure:  
Copy of Assignment

## ASSIGNMENT

WHEREAS, we, Kenneth H. Abbott, Joshua M. Freedman, Dan Newell, and James O. Robarts ("ASSIGNORS"), having post office addresses of 4216 107<sup>th</sup> Place NE, Kirkland, Washington 98033; 3015 81<sup>st</sup> Place SE, #104, Mercer Island, Washington 98040; 2623 Evergreen Point Road, Medina, Washington 98039; and 17610 NE 31<sup>st</sup> Place, Redmond, Washington 98052, respectively, are the joint inventors of an invention entitled "SUPPLYING NOTIFICATIONS RELATED TO SUPPLY AND CONSUMPTION OF USER CONTEXT DATA," as described and claimed in the specification for which a continuation-in-part application for United States letters patent was filed on November 28, 2000 and assigned Application No. 09/724,949; this application is a continuation-in-part of U.S. Application No. 09/216,193, filed December 18, 1998, and U.S. Patent Application No. 09/464,659 filed December 15, 1999 which applications are pending. This application also claims the benefit of Provisional Application No. 60/194,222 filed April 2, 2000 and Provisional Application No. 60/193,999 filed April 2, 2000.

WHEREAS, Tangis Corporation ("ASSIGNEE"), a corporation of the State of Washington having a place of business at 1848 Westlake Avenue N., Seattle, Washington 98109, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any patents that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS hereby sell, assign, and transfer unto ASSIGNEE, its legal representatives, successors, and assigns, the entire right, title and interest in and to the invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations, or extensions thereof, any other inventions described in the application, and any and all patents of the United States of America and all foreign

countries that may be issued for the invention, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from the United States application to which foreign applications are entitled by virtue of international convention, treaty or otherwise, the invention, application and all patents on the invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made.

UPON THE ABOVE-STATED CONSIDERATIONS, ASSIGNORS agree to not knowingly execute any writings or knowingly do any act conflicting with this assignment, and upon request will schedule time, to be compensated at the assignors current billing rate and terms, or industry standard rates and terms, whichever is more favorable to the assignor, at the expense of ASSIGNEE, execute all instruments and documents and do such additional acts as are reasonable and necessary to perfect ASSIGNEE's enjoyment of this grant, and render all reasonable and necessary assistance required for the making and prosecution of applications for United States and foreign patents on the invention, for litigation regarding the patents, or for the purpose of protecting title to the invention or patents therefore.

ASSIGNORS authorize and request the Commissioner of Patents and Trademarks to issue any Patent of the United States that may be issued for the invention to ASSIGNEE.

State of Washington)

County of King

**SS.**

Dated May 11, 2004

Signature of Notary Public Donna M. Rogers

Printed Name Dorothy M. Bauer

My appointment expires August 11, 2009





May 10, 2001  
Date

Joshua M. Freedman  
Joshua M. Freedman

State of Washington)

County of King)

ss.

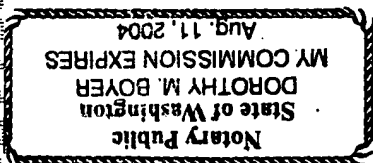
I certify that I know or have satisfactory evidence that Joshua M. Freedman is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated May 10, 2001

Signature of Notary Public Dorothy M. Boyer

Printed Name Dorothy M. Boyer

My appointment expires August 11, 2004



Date

5/18/01

Dan Newell

State of

Washington

County of

King

ss.

I certify that I know or have satisfactory evidence that Dan Newell is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated

May 18, 2001

Signature of  
Notary Public

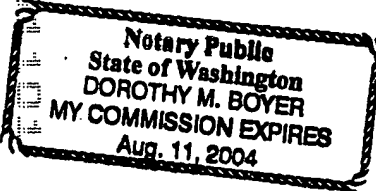
Dorothy M. Boyer

Printed Name

Dorothy M. Boyer

My appointment expires

August 11, 2004



Date 5/16/01 James O. Robarts

State of Washington)  
County of King) ss.

I certify that I know or have satisfactory evidence that James O. Robarts is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated May 16, 2001  
Signature of Dorothy M. Boyer  
Notary Public  
Printed Name Dorothy M. Boyer  
My appointment expires August 11, 2004

Notary Public  
State of Washington  
DOROTHY M. BOYER  
MY COMMISSION EXPIRES  
Aug. 11, 2004